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P.2

Patent Docket P25362

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

David Botstein et al.

Serial No.: 09/648,183

Filed: 25 August 2000

For: CARDIOTROPHIN-1 COMPOSITIONS
AND METHODS FOR THE
TREATMENT OF TUMOR



Group Art Unit: 1633

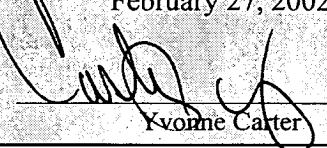
Examiner: E. Sorbello

CERTIFICATE UNDER 37 CFR 1.10

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I hereby certify that this correspondence and related documents is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on

February 27, 2002


Xvorine Carter

NOTICE OF APPEAL

BOX AF

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Appeals and Interferences from the decision dated 31 August 2001, of the Primary Examiner finally rejecting claims 24-30.

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$320 to cover the fees for this appeal and to charge the deposit account for any further fees in regard to this patent application. A duplicate copy of this Notice is enclosed for this purpose.

Respectfully submitted,

GENENTECH, INC.

Date: February 27, 2002

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